

**PLANNING, DESIGN AND  
ACCESS STATEMENT**

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3UF**

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## 1.0 INTRODUCTION

- 1.1 This Statement relates to a planning application for the erection of a 2 storey, 1 bed dwellinghouse, with associated garden, parking space, bin and bike stores at 111 Manor Road, Witney.
- 1.2 This Planning Statement sets out a reasoned justification as to why the application should be permitted by reference to the development in relation to its site context, the site history and the relevant planning policy framework.

## 2.0 THE SITE AND SURROUNDING CONTEXT

- 2.1 The site comprises of a semi-detached property, set on a relatively large, double-width plot in Manor Road, Witney. The plot has a large side garden area and it is into this part of the site that the new dwelling is proposed. The forecourt area of the property is laid to hardstanding for car parking.
- 2.2 The site and the wider surrounding area lie squarely within the existing development settlement area of Witney.

## 3.0 RELEVANT PLANNING SITE HISTORY

- 3.1 Planning permission was previously granted on this site in May 2023 (application reference 23/00689/HHD) for the “erection of a two storey side and single storey rear extension”. That permission remains extant and is therefore a material planning matter in the consideration of this application today and is the applicant’s ‘fallback’ planning position.
- 3.2 In October 2023, a planning application (reference: 23/02930/FUL) was submitted on the site and which proposed the erection of a 1 bed dwelling with associated parking, bin and bike stores. Essentially, that application proposed the reuse of the extant permission, in terms of its overall building envelope (replicating its height/depth/width/siting/design) with no built form changes, for proposed use as a 1 bed house.
- 3.3 After consideration of this application, the Council’s case planning officer resolved to recommend refusal of the application and scheduled it for determination by the Council’s Lowlands Planning Committee at its meeting on 5<sup>th</sup> February 2024.
- 3.4 A Delegated Report was produced in advance of the scheduled Planning Committee meeting wherein the proposal was considered in full across all relevant planning related grounds. A copy of this Report is attached at Appendix 1 to this statement for reference and completeness. The recommended reason for refusal set out in the Report was concerned with a single planning issue only and which related to concern that the size, layout, shape and positioning of the proposal external amenity/garden space associated with the new house was considered to fail to provide a high quality design and unacceptable living conditions for the future occupants of the new house. For convenience here, a copy of the sole stated reason for refusal is reproduced below:

*“The proposed development, by reason of the size, layout, shape and positioning of the external amenity space associated with the new dwelling, would be contrived and fails to provide a high quality design and acceptable living conditions for future occupants contrary to policies OS2 and OS4 of the West Oxfordshire Local Plan (2018), paragraph 135 and 139 of the NPPF (December 2023) and the National Design Guide (2021). Officers acknowledge that the proposed development would provide*

*public benefits in terms of providing an additional dwelling within a sustainable location, but consider that these benefits would be minimal as only one dwelling is proposed and that this does not strongly indicate that the development should be approved contrary to the West Oxfordshire Local Plan 2031.”*

- 3.5 For clarity, no other planning concerns nor reasons were set out in the Delegated Report and all other planning matters were deemed to be acceptable.
- 3.6 In light of the recommended refusal of the application at the scheduled Planning Committee meeting, the applicant decided to withdraw the application before any decision was made.
- 3.7 At the same time, the applicant also resolved to submit a duly revised, further planning application subsequently, aimed at addressing the sole stated reason for refusal, and hence now this new application.

## 4.0 PLANNING POLICY

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires planning applications and appeals to be determined in accordance with the policies of the Development Plan unless material considerations dictate otherwise.
- 4.2 The Development Plan for the area comprises those policies in the West Oxfordshire Local Plan 2031 (WOLP) which was adopted in September 2018. I draw upon the deemed relevant policies of the WOLP in the consideration of this Statement. I shall return to them below. First, a consideration of the relevant national planning policies.

### Government Planning Guidance

- 4.3 Government guidance as a material consideration relevant to the consideration of this application can be found in the National Planning Policy Framework (NPPF) December 2023.
- 4.4 At paragraph 1 the NPPF sets out the Government’s planning policies for England and how they are expected to be applied.

### Achieving Sustainable Development

- 4.5 The NPPF at paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 continues by stating that there are three overarching objectives to sustainable development: economic, social and environmental, and that these objectives are interdependent and need to be pursued in mutually supportive ways and give rise to the need for the planning system to perform a number of objectives:
  - a. **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
  - b. **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and

- c. **an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

- 4.6 It is clear that if the application is looked at across those 3 fronts that it complies with its salient tests. It is submitted that the more efficient development of a site such as this (making a better residential use of a site for a separate dwellinghouse, compared to the extant consent for an extension only) within the midst of the existing built up area of Witney, putting it into a good residential use in a high quality and well-designed development, must reasonably be considered to improve the economic, social and environmental well-being of the locality and Witney on a wider basis. It will make a positive contribution to the local economy both during the construction phase in terms of jobs and thereafter by bringing additional people into the area and help to support local services, shops, businesses and amenities within the town. In a related vein it will perform a social role too by bringing new residents into the new unit that will help to support the vitality of local services and facilities including schools and shops etc, and the provision of a small unit here will add positively to the mix of available residential units in the locality, which are otherwise typified by larger family sized houses. In environmental terms, the application site is in the right place insomuch that it relates directly to the existing developed area of Witney and makes an excellent and entirely appropriate use of an opportunity, windfall site.
- 4.7 I consider the cross economic, social and environmental benefits are clear and obvious and the proposal is therefore rightly to be defined as a sustainable form of development.
- 4.8 Paragraph 10 of the NPPF identifies that: “at the heart of the Framework is a presumption in favour of sustainable development.

### **Presumption in Favour of Sustainable Development**

- 4.9 Acknowledging then that at the heart of the NPPF is a presumption in favour of sustainable development, paragraph 11 of the NPPF echoes paragraph 10 and sets out that both plan-making and decision-taking should apply a presumption in favour of sustainable development.
- 4.10 It is submitted herein that the benefits that accrue from the proposal i.e., the provision of a new residential unit, out of an available opportunity site, delivering a well-designed and high-quality smaller household sized unit into this locality and so assisting with social cohesion and housing choice, plainly represents a wholly positive and sustainable development opportunity overall for the local area that should properly be supported.

### **Decision Making**

- 4.11 Paragraph 38 of the NPPF sets out that local planning authorities should approach decisions on proposed development in a positive way and that they should work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Applications for suitable development should be approved where possible. It has been established above that this proposal does comprise a plainly defined form of sustainable development. Clearly in decision making terms then, it should be approved.

## **Determining Applications**

- 4.12 Paragraph 47 of the NPPF sets out that “planning law requires that applications for planning permission be determined in accordance with the Development Plan, unless material considerations indicate otherwise”. In this context, I am not aware of any material considerations that arise here that would come to outweigh the clear presumption in favour of the proposal, which is a defined sustainable form of development and fully compliant with the relevant provisions of the Development Plan (as detailed below).

## **Delivering a Sufficient Supply of Homes**

- 4.13 Paragraph 60 of the NPPF sets out “the Government’s objective of significantly boosting the supply of homes”. The proposal goes to the heart of this basic requirement, insofar as it would deliver an additional extra unit of residential accommodation, out of a windfall site, within the established settlement area of the town.

## **Identifying Land for Homes**

- 4.14 Indeed, paragraph 70 of the NPPF specifically recognises the important contribution that small and medium sized sites can make to meeting the housing requirements of an area as such sites can be built out relatively quickly.

## **Promoting Sustainable Transport**

- 4.15 Paragraph 108 of the NPPF sets out that transport issues should be considered from the earliest stages of development proposals, so that, inter alia, “opportunities to promote walking, cycling and public transport use are pursued”.
- 4.16 Supporting paragraph 109 then goes on to state in addition that “development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes”. The site stands fully within the developed area of Witney, a highly sustainable locality, and where new development can readily be contemplated because of its suitable, accessible location and the full choices of all non-car-borne modes of transport that Witney as a settlement affords.
- 4.17 The NPPF makes further clear at paragraph 115, that new development “should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”. I cannot conceive of any such “severe” impact on highway related grounds in relation to the provision of a single 1 bed dwelling only.

## **Making effective Use of Land**

- 4.18 Paragraph 123 of the NPPF sets out that “planning policies and decisions should promote an effective use of land in meeting the need for homes”. Supporting paragraph 120 states that planning decisions should, amongst other things, promote and support the development of under-utilised land where opportunities arise, such as in this case plainly.

## **Achieving Well-Designed and Beautiful Places**

- 4.19 Paragraph 131 of the NPPF provides that “good design is a key aspect of sustainable development, creates better places to live and work and helps make development acceptable to communities”. The

submitted scheme demonstrates how the proposal would be very carefully laid out over the available site, produced in such a fashion so as to fit comfortably, and indeed positively with its local context and its surroundings and is well-designed, characterful and proportionate overall. The general form overall and the detailing it includes is already of course found acceptable by the Council in the extant scheme. Certainly, the principles of extending a host property with a lowered ridgeline and set-back face, to provide a subservient building, are all followed in the design detail of the scheme. It all makes for an appropriate design solution to the site, and it's identified context and, as stated, has already been found acceptable in those terms anyway.

- 4.20 The NPPF at paragraph 135 requires that planning policies and decisions should aim to ensure new developments deliver high quality schemes, judged across a range of fronts. Those cited below are deemed of relevance in the consideration of this application:
- a. will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
  - b. are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
  - c. are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
  - d. establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to work, live and visit;
  - e. optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
  - f. create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 4.21 The scheme is carefully designed in its overall concept to accord with all of these aims.
- 4.22 Paragraph 134 sets out that development which is not well designed should be refused. The submitted scheme is very well designed, indeed its broad, overall form and appearance is essentially accepted already by the Council its is approval of the extant scheme. This current iteration is now revised to address positively the sole stated concern in relation to the provision of the amount and arrangement of the external amenity space, and is redesigned in this aspect to show it provided in a wholly acceptable form, amount and arrangement on the site.

## Local Planning Policies

- 4.23 There are a raft of locally based policies contained in the WOLP that work between them towards the proper consideration of this proposal. Those considered of relevance are set out below with a brief commentary.
- 4.24 As part of the Council's core objectives, it seeks within Core Policies CO1, CO2 and CO3 to guide new development within its main settlements, like Witney.



- 4.25 In a similar vein, Core Policies CO4, CO5 and CO6 look to meet the specific housing needs of the District's communities and to deliver a variety of new housing (the proposed 1 bed unit goes towards that variety) to sustainable locations where the need to travel out is less, again, such as Witney.
- 4.26 Core Policies CO9, CO10 and CO11 between them seek to promote sustainable communities with best access to services and facilities which this site within the established built settlement area of Witney presents.
- 4.27 Policy OS1 sets out a presumption in favour of sustainable development and that planning application which accords with this overarching will be supported and approved. It has been stated above that the proposal in this case plainly comprises a defined (by NPPF) form of sustainable development and so should properly be supported.
- 4.28 Policy OS2 categorises the District's settlements into a hierarchy, with 3 "main service centres" at the top, identified for their sustainable, accessible nature and the range of shops, services, employment opportunities, general facilities for daily living that they contain, and where new development should first be directed and concentrated. Witney is identified as one of the District's 3 main service centres. Indeed the Council in the Delegated Report into the previous application state "the principle of development is considered acceptable", given its location within Witney.
- 4.29 Policy OS4 deals with considerations of design in new developments and requires a high quality to it. In this case, the finished, submitted design of the new house has been produced and results in a scheme which is vernacular in its appearance overall, to match the general look and appearance the host property and those other houses in the area. As stated above, the proposed overall design is in effect, a reduced in size version of the extant scheme on the site, in a design already found acceptable of course in terms of the built appearance of the new development, and it herein remains a scheme of good and high quality and appropriate to its context.
- 4.30 Policy H1 which covers the amount and distribution of housing sets out a District-wide provision for at least 15,950 homes through to 2031. Within that overall provision, the identified Witney sub-area looks to an anticipated supply of 3,700 homes. The proposal here, admittedly with a single dwelling only, still goes positively towards that identified supply.
- 4.31 Policy H4 concerns itself with the type and mix of new house in the District. It looks for a good, balanced mix of property types and sizes. This proposal goes to the heart of this policy in so far it would deliver a smaller household, 1 bed dwelling, into the midst of a local area of housing predominated by larger, family style housing.
- 4.32 Policy T1 states that priority will be given to locating new development in areas with convenient access to a good range of services and facilities and where the need to travel by car is minimised, due to the opportunities for walking, cycling, public transport which exist. The application site, within Witney, is plainly policy compliant here.
- 4.33 Policy T4 deals with parking provision and requires that a sufficient level of parking is provided in new developments. The proposal provides for parking spaces for each of the proposed and retained dwellings on the site, 2no. retained by the host dwelling and 1no. for the proposed smaller 1 bed unit. That is considered entirely appropriate for development in this location, in the midst of an eminently accessible and sustainable location, where full opportunity to walk, cycle and use public transport to access local services is readily available in the vicinity of the site. Indeed, as stated in the Delegated Report to the previous application, the same arrangement of parking provision was previously considered by Oxfordshire County Council as the Highway Authority, and they confirmed that they had "no objections" to it. In fact, they had no objections either to the original extant scheme of extension, which itself included the very same parking arrangement and provision of parking spaces over the site.

Given then that this is now, in effect, the third time that this same parking arrangement/provision is being proposed (with no objections on the previous two occasions) then it is reasonably assumed that with the same parking provision arrangement herein that the County Council will remain to have no objections on any highway safety parking grounds.

## 5.0 MAIN PLANNING CONSIDERATIONS

### Principle of Development

- 5.1 As stated above, the principle of this development cannot reasonably be in any proper planning dispute. Indeed, as stated above, the Council's Delegated Report into the previous application confirmed this very point.
- 5.2 It represents a more efficient use and development of a site that is already in benefit of an extant consent for a minor scheme of extension, in the midst of a fully sustainable and accessible location. It typifies all that the NPPF seeks in new residential development proposals.
- 5.3 This is all positive, Government level policy support to the principle of the development.

### Sustainable Form of Development

- 5.4 At the heart of the Government's planning strategy today, is the requirement for 'sustainable' development.
- 5.5 In this case the proposal delivers an entirely sustainable form of development across the full range of fronts:
  - it involves the use of a windfall site, within the midst of an existing, developed area;
  - it provides a new residential unit delivered into the locality, increasing the availability of smaller household type housing, in a settlement identified by the Council as one of its 3 main centres for new development;
  - this all takes place in a highly accessible location, with ready access to all modes of transport alternatives to the car and shops, services and employment opportunities.
- 5.6 The proposal is precisely the sort of sustainable development that both the Government and local policy positively promotes in the current climate.

### Design and Character

- 5.7 The proposal is produced in a traditional fashion overall, with a pitched roof, reduced at ridgeline from the existing house, and set back on its plot from the main house face, all in a subservient matching detached appearance. All as very similarly approved already in fact in the extant scheme of extension. The difference herein as now proposed from the extant scheme, essentially, is that the building footprint is reduced in its rearwards depth projection by over 1m, with a very small increase in width by just 0.2m. It remains entirely commensurate with the vernacular appearance of the surrounding properties in the local area.
- 5.8 It is a proportionate scheme overall for the available site area and its context, with all of its constituent components (gardens, parking, bins, bikes etc) readily accommodated.

- 5.9 The sub-division of the overall site limits outward built change (beyond the already consented side addition) to a 1.8m close boarded fence erected between the retained and proposed plots, and a couple of small bin and bike stores. A very low key and sympathetic development proposal as a result.

## Neighbour Impact

- 5.10 The proposal is carefully designed in an entirely compatible and neighbourly form and would not cause any neighbour impact issues in terms of loss of light, privacy or outlook to any of the surrounding properties by reason of the siting of the proposal at the side of the host property and alongside an area of public space. This too of course in a context where permission already exists for a very similar and in fact larger part two, part single storey side addition in any event on the site. And in the Delegated Report, in consideration of the previous application, no concerns at all were raised in connection to any neighbour impact grounds at all. Reasonably, and given this latest scheme is reduced even in terms of its built relationship to the nearest neighbour at the rear, then it is held that no neighbour impact arises on this occasion either.

## Parking and Access

- 5.11 Parking spaces to each of the existing and proposed houses are provided, split over the existing forecourt area (2no. spaces for the host dwelling) where car parking already takes place, and had at the rear, where extant consent already exists for its provision. This is all cognisant too of the fact the site stands in an eminently sustainable, accessible location, with ready access to all of the alternative modes of transport to the car, including the opportunity for walking to a range of shops, services and employment opportunities available within Witney.
- 5.12 It is worth setting out here too, for absolute clarity, that the parking spaces proposed with the new unit (at the rear) and those proposed for retention with the existing house (at the front), have all already of course been agreed by the local highway authority in their consideration of the extant scheme and found to be safe and appropriate in its provision. Nothing herein now changes in that provision, and of course it remains the applicant's 'fallback' position to install all of these parking spaces (front and rear) now at any time whilst the previous consent on site remains extant (which it does until May 2026).
- 5.13 Further, and as stated above, the Highway Authority have already assessed this very same level of parking provision and arrangement as herein proposed in the previous application and made clear that they have 'no objections' on any parking or highway related grounds. Reasonably, this same consideration is taken to stand once more.

## Amenity Space

- 5.14 Both the existing house and the new unit are provided with more than adequate private, amenity areas through the sub-division of the overall plot. Each garden space has ample room for sitting out, informal recreation, clothes drying, gardening etc, all of the conventional garden uses. They also provide space for secure bike storage. A look at the proposed site layout plan demonstrates how the rear garden left with the existing house is just the same as those to many of the neighbouring properties and the amenity area to the new 1 bed unit is certainly spacious in itself for a property of that size, which often times in the case of a 1 bed unit has only a small balcony or terrace, this is significantly larger and more useable for its purpose.

- 5.15 The amount and arrangement of garden space to the new house was the sole issue at dispute in the previous application of course. To address that positively, the extent of the rearwards projection of the new building is reduced by 1.1m (compared to the rear extent of the extant scheme and the previous application) and this leads to the provision of an additional 50% extra depth to the now proposed rear garden and allows for a more conventional and spacious rear garden arrangement overall (certainly so compared to the previously withdrawn scheme).
- 5.16 As a further comparator, and simply for context, other Councils In Oxfordshire (the Vale of White Horse for instance) apply a minimum garden size area of 35sqm for a 1 bed dwellinghouse (West Oxfordshire do not use such a measure) and the proposal, as herein now amended and enlarged compared to the previously withdrawn scheme, provides for a well-proportioned garden area of 40sqm. That is conventionally considered to be a more than adequate, useable and spacious amenity area for a 1 bed dwelling house.
- 5.17 Given all of these considerations in relation to the provision of an enlarged and more conventional garden area, it is submitted that this amended submission does positively address and overcome the sole reason held against the previously withdrawn application.

## 6.0 SUMMARY & CONCLUSIONS

- 6.1 The proposed scheme makes a good residential use of an available, windfall site, in a sustainable, accessible location and provides for a new 1 bed unit, which adds to the social mix of the locality.
- 6.2 It is a more efficient use indeed of this opportunity site than is already in benefit of extant consent for an enlarged dwellinghouse, but which reworks it to a better and improved scheme overall in the provision of a new unit.
- 6.3 A previous application on the site for a new unit was due to be refused, prior to its withdrawal, on the sole basis of the considered inadequate quality and arrangement of the garden area in association that proposal.
- 6.4 On this occasion, the proposed new unit is reduced in terms of its rearwards extent in order to free up and provide for a larger and more conventional garden area to the new house, and it is considered in so doing that the proposal on this occasion now positively meets and addresses and overcomes indeed the sole stated concern raised against the previous application.
- 6.5 It remains a carefully planned, sensitive and appropriately designed scheme overall, most mindful of its local context and a scheme that a raft of up-to-date policy, at both national and local level, positively supports.
- 6.6 Parking is provided on the site in a manner which has already been found entirely acceptable by the Highway Authority on two previous occasions (in both the form of the extant scheme and in the previously withdrawn scheme) in all parking and highway safety related matters.
- 6.7 This latest scheme also remains comfortably proportioned overall and, as with its predecessor, in no way unneighbourly.
- 6.8 Indeed, it is considered that there are now no planning related issues that properly mitigate against the proposal in its now submitted form.
- 6.9 Witney is a settlement, at the top of the District's hierarchy, where new development is first to be directed, because of the overall sustainable nature of the location.

- 6.10 The scheme comprises of an entirely sustainable form of development, delivering a most efficient residential use out of a site, already in benefit of consent for an expanded residential use, the like of which Government and local planning policy is specifically designed to permit for.
- 6.11 In all of these clear circumstances and mindful of the relevant planning background and context of the case, it is very much hoped that the proposal, on this occasion, can now be straightforwardly granted planning permission as applied for.

**APPENDICES**

**A DELEGATED REPORT**

